APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,427	03/23/2004	Hiroyuki Watanabe	04329.3284	2944

22852   7590   08/06/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2609	

MAIL DATE	DELIVERY MODE
08/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/806,427	WATANABE, HIROYUKI
	Examiner	Art Unit	
	Abdullah Riyami	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 March 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-12_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-12_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _See Continuation Sheet_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:03/23/2004,08/02/2005,11/15/2005,04/18/2006,05/22/2006,06/25/2007.

DETAILED ACTION

Claim Objections

1.   Claims 1 and 3-4 are objected to under 37 CFR 1.75 because of the following

informalities:

In claim 1, line 8, it is suggested to add a --comma-- after "apparatus".

In claim 3, line 2, the occurrence of "the means for memorizing and managing the

finding frequency" seems to refer back to "means for memorizing and managing

a finding frequency" as recited in claim 2, lines 1-2. If this is true, it is suggested

to change "claim 1" to --claim 2--.

In claim 4, line 14, it is suggested to change "s" to --is--. Also in line 15, the

occurrence of "a finding frequency" seems to refer to "the finding frequency" as

recited in line 10. If this is true, it is suggested to change "a finding frequency" to

--the finding frequency--.

Claims 2 and 5-8 are objected to because they are dependent on claim 1,

respectively.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

Claims 9-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

In claim 9, line 1, the "computer program" is directed to non-statutory subject

matter because it is not a useful process, machine, manufacture, or composition

of matter, or any new and useful improvement thereof. Similar problem exists in

lines 2 and 4, (claim 10, line 1), (claim 11, line 1), and (claim 12, line 1). See

MPEP 2106.IV.B.1 (a).

It is suggested to change "a computer program" or "program" to –a computer

readable medium encoded with instructions capable of being executed by a

computer for a network connectable device via a wireless relay apparatus

comprising--.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed
> publication in this or a foreign country or in public use or on sale in this country, more than one year prior to
> the date of application for patent in the United States.

4.   Claims 1-3, 5-12 are rejected under 35 U.S.C. 102(b) as being anticipated by

Phillips et al. (5745481).

In claim 1, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas) comprising: means for finding (see figure 15 and column 10,

lines 59-67 and column 11, lines 1-5) the wireless relay apparatus (see figure 7);

and means for displaying information (see figure 16, blocks 436 and 434), which

is characterized according to identification information (see column 5, lines 30-

39) of the wireless relay apparatus when the means for finding the wireless relay

apparatus finds the wireless relay apparatus.

In claim 2, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas) further comprising, means for memorizing and managing a

finding frequency (see scan list, column 11, lines 37-57) of the wireless relay

apparatus found by the means for finding the wireless relay apparatus, wherein

the means for displaying the information displays information (see figure 16,

blocks 436 and 434) according to the finding frequency managed by the means

for memorizing and managing the finding frequency (see scan list, column 11,

lines 37-57).

In claim 3, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas), wherein the means for memorizing and managing the finding

frequency (see scan list, column 11, lines 37-57) has means for associating each

identification information (see column 7) of the wireless relay apparatuses (see

scan list, SSID, NID column 11, lines 37-57) which can be found by the means

for finding the wireless relay apparatus with information displayed by the means

for displaying information and managing the identification information and the

displayed information.

In claim 5, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas), wherein the means for displaying information acquires service

information or advertisement information (see system message, column 7, lines

9-17 and SSID in a predetermined number of frames, column 7, lines 42-46)

when using the wireless relay apparatus found by the means for finding the

wireless relay apparatus based on information associated with the wireless relay

apparatus which is found by the means for finding the wireless relay apparatus

managed by the means for memorizing and managing a finding frequency when

the means for finding the wireless relay apparatus finds the wireless relay

apparatus, and displays the acquired corresponding Information (see figure 16,

blocks 436 and 434).

In claim 6, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas), wherein the means for displaying information judges (see

match, column 8, lines 36 –49 and highest priority, column 11, lines 36-57) a

condition associated with the wireless relay apparatus (see match, column 8,

lines 36 –49) found by the means for finding the wireless relay apparatus

managed by the means for memorizing and managing a finding frequency when

the means for finding the wireless relay apparatus finds the wireless relay

apparatus, and reflects the corresponding judgment contents (see match, column

8, lines 36 –49 and highest priority, column 11, lines 36-57)in the display

information or the display form (see figure 16, blocks 436 and 434).

In claim 7, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas), wherein the means for displaying information displays

selectable information (select channel for coverage area, column 10, lines 26-42)

(see column 8, lines 36 –49 and column 11, lines 36-57 and column 10, lines 26-

42) characterized according to identification information on the found wireless

relay apparatus, and sets connected environment (select channel for coverage

area, column 10, lines 26-42) using the wireless relay apparatus found by the

means for finding the wireless relay apparatus when the corresponding

information is selected (see column 8, lines 36 –49 and column 11, lines 36-57.

and column 10, lines 26-42).

In claim 8, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas), wherein the means for displaying information comprises means

for acquiring a database (see column 11, lines 37-57 and column 13, lines 42-65)

associating each identification information of the wireless relay apparatuses

which can be found by the means for finding the wireless relay apparatus with

information displayed by the means for displaying information from an external

apparatus which is connected with the network through the means for finding the

wireless relay apparatus and the wireless relay apparatus and managing the

database (see column 13, lines 42-65).

In claim 9, Phillips et al. discloses a computer readable medium encoded with

instructions capable of being executed by a computer (see column 12, lines 4-31)

for a network connectable device via a wireless relay apparatus (see abstract,

coverage areas), comprising, finding (see figure 15 and column 10, lines 59-67

and column 11, lines 1-5) the wireless relay apparatus (see figure 7); and

displaying (see figure 16, blocks 436 and 434) characterized information (see

column 11, lines 37-57) according to an identification information (see column 5,

lines 30-39) on the found wireless relay apparatus.

In claim 10, Phillips et al. discloses a computer readable medium encoded with

instructions capable of being executed by a computer (see column 12, lines 4-31)

for a network connectable device via a wireless relay apparatus (see abstract,

coverage areas), wherein the displaying (see figure 16, blocks 436 and 434)

includes managing each finding frequency of the found wireless relay

apparatuses (see scan list, column 11, lines 37-57), and reflecting (see column

11, lines 37-57) the managed finding frequency to the displayed information.

In claim 11, Phillips et al. discloses a computer readable medium encoded with instructions capable of being executed by a computer (see column 12, lines 4-31) for a network connectable device via a wireless relay apparatus (see abstract, coverage areas), wherein the displaying (see figure 16, blocks 436 and 434) includes managing a database (see column 11, lines 37-57) which associates the wireless relay apparatuses each identification information which can be found with display information (see figure 16, blocks 436 and 434), acquiring information associated with the found wireless relay apparatus from the database, and displaying (see figure 16, blocks 436 and 434) the acquired information (see column 11, lines 37-57) (see column 5, lines 30-39) in the display form corresponding to the finding frequency of the found wireless relay apparatus when finding the wireless relay apparatus.

In claim 12, Phillips et al. discloses a computer readable medium encoded with instructions capable of being executed by a computer (see column 12, lines 4-31) for a network connectable device via a wireless relay apparatus (see abstract, coverage areas), wherein the displaying (see figure 16, blocks 436 and 434) information capable of select operation (see channel selecting means, column 12, lines 32-44), characterized according to identification information (see column 5, lines 30-39) on the found wireless relay apparatus, and setting connection environment (select channel for coverage area, column 10, lines 26-42) using the found wireless relay apparatus when the displayed information is selected (see column 8, lines 36 –49 and column 11, lines 36-57 and column 10, lines 26-42).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips et

al. (5745481) in view of Hillman (US 7054627 B1).

In claim 4, Phillips et al. discloses an information processing device (see figure

16, block 400 and column 11, lines 58-67) having a communication function of

performing a network connection via a wireless relay apparatus (see abstract,

coverage areas), comprising, the means for displaying information for

identification information on the wireless relay apparatus (see figure 16, blocks

436 and 434), which is found by the means for finding the wireless relay

apparatus (see figure 15 and column 10, lines 59-67 and column 11, lines 1-5),

based on information (see column 5, lines 30-39) associated with the wireless

relay apparatus, which is found by the means for finding the wireless relay

apparatus managed by the means for memorizing and managing the finding

frequency (see scan list, column 11, lines 37-57), when the means for finding the

wireless relay apparatus finds the wireless relay apparatus, and displays messages in a display form corresponding to the finding frequency which is managed by the means for memorizing and managing a finding frequency, but does not expressly disclose that the display information generating a peculiar icon or a character message for identification information on the wireless relay apparatus.

Hillman discloses a display information device (see figure 1, block 116) generating a peculiar icon or a character message (see column 2, lines 50-54 and figure 5) for identification information on the wireless relay apparatus (see column 2, lines 50-54).

Phillips et al. and Hillman are analogous art because they are from the same fields of endeavor of finding wireless access points for providing network connections.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Hillman's display device (see figure 1, block 116) in Phillips et al.'s receiver device (see figure 16, block 434) to generate a peculiar icon or a character message.

The motivation to combine would have been to have a display unit capable of displaying communication information for different access points in a network.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-7,042,852 B2	05-2006	Hrastar, Scott	370/310
B	US-5,839,075 A	11-1998	Haartsen et al.	455/450
C	US-7,039,424 B2	05-2006	Gorsuch, Thomas E.	455/456.3
D	US-2003/0235164 A1	12-2003	Rogers et al.	370/331
E	US-2004/0203416 A1	10-2004	Hata et al.	455/067.7
F	US-2005/0170852 A1	08-2005	Li et al.	455/456.5

8.   All of the above are recited to show an information-processing device for finding

access points.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Abdullah Riyami whose telephone number is (571) 270-

3119. The examiner can normally be reached on Monday through Thursday 8am-5pm

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dang Ton can be reached on (571) 272-3171. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AR

DANG T. TON
SUPERVISORY PATENT EXAMINER